

CLAIMS FOR DAMAGES TO PRIVATELY OWNED
PROPERTY

COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

A SUPPLEMENTAL ESTIMATE OF APPROPRIATIONS TO PAY CLAIMS
FOR DAMAGES TO PRIVATELY OWNED PROPERTY IN THE SUM OF
\$3,818.51

MARCH 4, 1939.—Referred to the Committee on Appropriations and ordered to
be printed

THE WHITE HOUSE,
Washington, March 4, 1939.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: I have the honor to transmit herewith for the consideration of Congress estimates of appropriations submitted by the several executive departments and independent offices to pay claims for damages to privately owned property in the sum of \$3,818.51, which have been considered and adjusted under the provisions of the act of December 28, 1922 (U. S. C., title 31, sec. 215), and which require appropriations for their payment.

Respectfully,

FRANKLIN D. ROOSEVELT.

BUREAU OF THE BUDGET,
Washington, February 7, 1939.

The PRESIDENT,
The White House.

SIR: I have the honor to submit herewith for your consideration estimates of appropriations submitted by the several executive departments and independent offices to pay claims for damages to privately owned property which have been considered and adjusted

under the provisions of the act of December 28, 1922 (U. S. C., title 31, sec. 215), and which require appropriations for their payment, as follows:

DAMAGE CLAIMS

For the payment of claims for damages to or losses of privately owned property, adjusted and determined by the following respective departments and independent offices, under the provisions of the act entitled "An act to provide a method for the settlement of claims arising against the Government of the United States in the sums not exceeding \$1,000 in any one case," approved December 28, 1922 (U. S. C., title 31, secs. 215-217), as fully set forth in House Document No. — of the Seventy-sixth Congress, as follows:

Farm Credit Administration-----	\$25. 80
Veterans' Administration-----	20. 00
Works Progress Administration-----	418. 67
Department of Agriculture-----	406. 31
Department of the Interior-----	476. 00
Navy Department-----	309. 75
War Department-----	1, 627. 65
Treasury Department-----	262. 01
Post Office Department, payable from postal revenues-----	272. 32
Total-----	3, 818. 51

The letters from the several departments and independent offices submitting these estimates are transmitted herewith.

In accordance with the provisions of the act providing for these submissions, I recommend that these estimate be transmitted to Congress.

Very respectfully,

D. W. BELL,

Acting Director of the Bureau of the Budget.

FARM CREDIT ADMINISTRATION,
Washington, D. C., February 16, 1939.

Hon. D. W. BELL,

Acting Director, Bureau of the Budget, Washington, D. C.

DEAR MR. BELL: In accordance with provisions of the act approved December 28, 1922 (42 Stat. 1066), the Farm Credit Administration has considered, adjudged, and determined the following claim of \$25.80 by Mrs. Frances Strauss, of Philadelphia, Pa., for damages to her automobile caused by the negligence of an employee of the Farm Credit Administration while acting within the scope of his employment.

The claim has been examined by the General Counsel of the Farm Credit Administration who finds that it is a legal claim for submission under said act.

Claimant: Frances Strauss, Town House, Nineteenth and Spruce Streets, Philadelphia, Pa.

Date of collision: October 15, 1938.

Date of claim: October 28, 1938.

Make of automobile: Ford coupe, 1937 model.

License number: 9JC07 Pa.

Damage to right quarter panel, right rear fender, tail light, tail-light bracket, rear bumper arms, and bumper guard.

Damage claimed, \$25.80; amount allowed, \$25.80.

The basis of the claim is that a Farm Credit Administration delivery truck, operated at the time of the collision on official business by Franklin C. Brown, an employee of the Farm Credit Administration, ran into the right rear of the

automobile driven by Mrs. Frances Strauss that had stopped because of a change in traffic signals.

From the information obtained, it appears that the accident was caused by the failure of the driver of the Government-owned truck to have the car sufficiently under control to bring it to a stop as the traffic light changed. There is no indication from the evidence at hand that Mrs. Strauss was contributorily negligent, although it appears that she may have stopped her automobile suddenly as she reached the cross walk, before entering the intersection, when the traffic light changed. However, the Government driver proceeding in the truck to the rear was charged with the observance of the traffic lights and with the duty of being able to stop the truck without colliding with automobiles to the front, and his failure to do so in this case indicates negligence on his part, which caused the damage to the car involved.

I certify the amount found due the claimant, as herein set forth, is a legal claim, and recommend that it be submitted to Congress for payment from the appropriation that may be made therefor.

Sincerely,

C. A. STEWART, *Acting Governor.*

VETERANS' ADMINISTRATION,
Washington, January 19, 1939.

The DIRECTOR OF THE BUREAU OF THE BUDGET,
Washington, D. C.

DEAR SIR: In accordance with the provisions of the act of Congress approved December 28, 1922 (U. S. C., title 31, sec. 215), I have considered, ascertained, adjusted, and determined the following-described claim accruing after April 6, 1917, on account of damages to, or loss of, privately owned property due to the negligence of an officer or employee of the Veterans' Administration acting within the scope of his employment, and presented to the Veterans' Administration within 1 year from the date of accruing.

This claim has been examined by the Solicitor of the Veterans' Administration, who advises me that it is a legal claim for submission under said act.

I hereby certify the amount found due the claimant, as herein set forth, as a legal claim and recommend that it be submitted to the Congress for payment out of appropriations that may be made therefor.

1. Angelo Anifant, 301 Cumberland Avenue, Portland, Maine. On February 23, 1937, Stephen J. Dascal, a veteran of the World War, died at Veterans' Administration Hospital, Rutland Heights, Mass. Claimant was nominated executor of the veteran's will and such nomination was confirmed December 8, 1937, by the probate court, Portland, Maine. The personal effects of the veteran were shipped to the executor (claimant) on January 19, 1938. On January 24, 1938, claimant advised that a magnifying glass and a Remington portable typewriter were missing from the effects. The Veterans' Administration directed an investigation. The investigator reported that the articles in question could not be located, that there was carelessness in storing them at the hospital and carelessness in failing to learn that they were missing when the effects were shipped.

Amount of claim, \$25; amount allowed, \$20.

Summary (1 claim)

Total amount claimed-----	\$25
Total amount allowed-----	20

Very truly yours,

FRANK T. HINES,
Administrator.

WORKS PROGRESS ADMINISTRATION,
Washington, D. C., February 24, 1939.

The DIRECTOR OF THE BUREAU OF THE BUDGET,
Washington, D. C.

SIR: In accordance with the provisions of the act of Congress approved December 28, 1922 (42 Stat. 1066; U. S. C., title 31, secs. 215-217), I have considered, ascertained, adjusted, and determined the following-described claims accruing after April 6, 1917, on account of damage to or loss of privately owned property, due to the negligence of officers or employees of the Works Progress Administration, acting within the scope of their employment, and presented to the Works Progress Administration within 1 year from the date of accruing.

These claims have been examined by the General Counsel for the Works Progress Administration, who advises me that they are legal claims for submission under said act.

I certify the amounts found due the claimants, as herein set forth, as legal claims, and recommend that they be submitted to Congress for payment out of appropriations that may be made therefor.

1. Mae E. Bennett, 5519 Kenwood Avenue, Chicago, Ill. On June 29, 1937, at Chicago, Ill., owing to the negligence of employees of the Works Progress Administration in permitting a nail to protrude from a barricade, the nail caught, and tore, the coat of claimant's minor daughter as she was passing the barricade.

Amount claimed, \$15; amount allowed, \$10.

2. William G. Buddenklepper, 783 East One Hundred and Sixty-eighth Street, Bronx, N. Y. On May 16, 1938, at New York, N. Y., an employee of the Works Progress Administration, while acting within the scope of his employment, negligently backed the truck he was operating into claimant's parked automobile, causing damage to the front portion of the automobile.

Amount claimed, \$60; amount allowed, \$15.

3. John L. Cousins, 1299 Lombard Street, San Francisco, Calif. On January 13, 1938, at Oakland, Calif., an employee of the Works Progress Administration, while engaged on a project at an airport, negligently brushed his leg against a Neon sign on the lower wing of claimant's airplane, causing damage to the sign.

Amount claimed, \$18.50; amount allowed, \$18.50.

4. John G. Dias and Victorine Dias, care of Sandler & Contakos, 415 Fairburn Building, Lowell, Mass. On August 3, 1937, at Lowell, Mass., an employee of the Works Progress Administration, while engaged in blasting on a project, negligently caused a rock to be hurled through the air, which struck, and damaged, claimants' property.

Amount claimed, \$31.55; amount allowed, \$31.55.

5. Frank J. Gabriel, 3825 West Twenty-sixth Street, Chicago, Ill. On January 14, 1938, at Chicago, Ill., an employee of the Works Progress Administration negligently poured kerosene on a fire in a camp wagon, with the result that the camp wagon caught fire and the conflagration spread to claimant's building, damaging an advertising sign and an awning.

Amount claimed, \$85; amount allowed, \$40.

6. Joseph Hassler, 71-65 Seventieth Street, Glendale, N. Y. On April 18, 1938, at Flushing, N. Y., an employee of the Works Progress Administration, while operating a station wagon within the scope of his employment, negligently failed to give the right-of-way to claimant's automobile at an intersection, with the result that claimant's automobile was struck and damaged by the Works Progress Administration vehicle.

Amount claimed, \$33.90; amount allowed, \$33.90.

7. M. L. Kirchgeßner, Lake Street, Billerica, Mass. During the period December 1937 to June 1938, at Billerica, Mass., employees of the Works Progress Administration, while engaged in blasting, negligently caused debris to be hurled through the air which struck and damaged claimant's fence and garage.

Amount claimed, \$149.95; amount allowed, \$70.

8. Wasil Kutch, R. D. No. 1, Carbondale, Pa. On March 22, 1938, near Carbondale, Pa., owing to the negligence of employees of the Works Progress Administration engaged in blasting activities within the scope of their employ-

ment, debris was caused to be hurled through the air which struck and damaged claimant's house and garage.

Amount claimed, \$35.50; amount allowed, \$35.50.

9. Roy Markle, Route 3, Pennsboro, W. Va. On April 13, 1938, near Pike, W. Va., employees of the Works Progress Administration, while engaged in cutting down trees near a public road, negligently failed to give proper warning to claimant, with the result that a falling tree struck and damaged claimant's passing automobile.

Amount claimed, \$15; amount allowed, \$8.93.

10. Harry P. Riordan, Duanesburg, N. Y. On July 15, 1937, near Rotterdam, N. Y., an employee of the Works Progress Administration, while operating a truck within the scope of his employment, negligently permitted the truck to get out of control, with the result that it ran onto the wrong side of the road and struck claimant's automobile, causing damage to the automobile.

Amount claimed, \$213.12; amount allowed, \$65.50.

11. A. G. Sherwood Construction Co., Independence, Kans. On January 22, 1937, near Topeka, Kans., owing to the negligence of employees of the Works Progress Administration in failing to provide antifreeze for the motor of a power shovel rented from claimant, the motor block froze and cracked.

Amount claimed, \$20; amount allowed, \$20.

12. John Edward Wadle, Lacona, Iowa. On June 22, 1938, near Lacona, Iowa, employees of the Works Progress Administration, while engaged on a project, negligently permitted a tree that they had cut down to fall upon claimant's milk cow, with the result that the cow had to be destroyed.

Amount claimed, \$50; amount allowed, \$50.

13. W. W. Wright, Spencer, W. Va. On June 20, 1938, near Spencer, W. Va., owing to the negligence of employees of the Works Progress Administration, while engaged in blasting operations, a large rock was caused to be hurled onto claimant's land, where it struck, and damaged, claimant's gas pipe line, causing the escape of a large amount of gas before the damage was discovered and repaired, for which claimant was required to pay.

Amount claimed, \$19.79; amount allowed, \$19.79.

Summary (13 claims)

Total amount claimed-----	\$747.31
Total amount allowed-----	418.67

Sincerely yours,

CORRINGTON GILL,
Assistant Administrator.

DEPARTMENT OF AGRICULTURE,
Washington, February 24, 1939.

HON. D. W. BELL,
Acting Director, Bureau of the Budget.

DEAR MR. BELL: In accordance with the provisions of the act of Congress of December 28, 1922 (42 Stat. 1066), this Department has considered, ascertained, adjusted, and determined the following claims on account of damage to or loss of privately owned property caused by the negligence of officers or employees of the Department acting within the scope of their employment. These claims were presented by the claimants within 1 year from the date of their accrual, and it is recommended that the amounts found due the claimants, as hereinafter indicated, be reported to Congress for payment:

1. J. P. Andrews, 235 South Main Street, Winchester, Ky. July 11, 1938, in Winchester, Ky., claimant's car was struck and damaged when an improperly fastened tail gate on a passing Forest Service truck swung open.

Claimed and allowed, damage to car, \$8.20.

2. P. W. Atkison, 13 Perry Road, Greenville, S. C. December 30, 1937, near Greenville, S. C., the driver of a Forest Service truck, while overtaking and

passing claimant's son, who was riding a bicycle, misjudged the distance and did not allow sufficient room for clearance. As a result, the truck struck and injured the boy, and damaged his bicycle and clothing.

Claimed, personal injuries, and damage to clothing and bicycle, \$5,035; allowed, damage to clothing and bicycle, \$35.

3. Peter P. Bardong, 144 Bedford Road, Pleasantville, N. Y., October 11, 1938, on a highway near Mt. Pleasant, N. Y., claimant's truck was struck when the driver of a truck of the Bureau of Entomology and Plant Quarantine turned into the highway from a parking place without signaling his intention or determining that the way was clear.

Claimed and allowed, damage to truck, \$11.10.

4. Richard H. Clark, New Haven Avenue, Milford, Conn. October 19, 1936, in Old Town, Maine, the driver of a Farm Security Administration truck, failing to notice claimant's car parked at the curb, swerved quickly to the right in order to allow clearance for a vehicle approaching from the opposite direction, and collided with the parked car.

Claimed, damage to car, \$63.35; allowed, \$50.

5. John Gailey, route 2, Concrete, Wash. July 21, 1938, in Concrete, Wash., the driver of a Forest Service truck backed from a parking space without ascertaining that the way was clear and collided with claimant's car, properly proceeding along the street.

Claimed and allowed, damage to car, \$9.60.

6. C. E. H. Gil, 4 Whippany Road, Morristown, N. J. July 11, 1938, near Morristown, N. J., certain employees of the Bureau of Entomology and Plant Quarantine failed to take proper precaution when felling a tree on claimant's property and it struck claimant's chicken house, with resultant damage.

Claimed, cost of repairs to building and mash feeder, and value of 12 chickens, \$39; allowed, cost of repairs to building and mash feeder, \$26.25.

7. Roy W. Jones, 3310 Twelfth Street, Gulfport, Miss. December 8, 1938, in Gulfport, Miss., the driver of a truck of the Bureau of Entomology and Plant Quarantine, his view obstructed by the canvas cover over the body of the truck, backed from a parking place into the street without making certain that the way was clear and collided with claimant's car, which had approached from the rear.

Claimed and allowed, damage to car, \$80.

8. Melvin McKenzie, Lonaconing, Md. May 23, 1938, near Lonaconing, Md., a Farm Security Administration employee, backing a Government truck while his vision was obscured by the tarpaulin covering the vehicle, failed to notice the approach of claimant's car from the rear, and a collision occurred.

Claimed and allowed, damage to car, \$27.25.

9. August C. Palmisano, 105 West Camden Street, Baltimore, Md. August 1, 1938, at an intersection in Washington, D. C., the driver of a truck of the Bureau of Biological Survey failed to yield the right-of-way to claimant's truck, which approached from the right on the intersecting street. A collision occurred while the private driver was making a proper left-hand turn.

Claimed and allowed, damage to truck, \$75.83.

10. C. F. Prairie, 28 Phillips Street, Massena, N. Y. September 12, 1938, in Massena, N. Y., the driver of a truck of the Bureau of Entomology and Plant Quarantine, without first ascertaining if the move could be made in safety, pulled away from the curb into the main line of traffic, and struck claimant's car, proceeding along the street in a proper manner.

Claimed and allowed, damage to car, \$6.

11. Oscar N. Rubendall, Allens Park, Colo., June 15, 1938, near Meeker Park, Colo., the driver of a Forest Service vehicle, preparing to overtake and pass claimant's truck, interpreted claimant's move toward the left of the road to indicate a left turn, pulled to the right and then was unable to stop in time to avoid collision when claimant made a sudden right turn. It was shown that claimant made the correct signal.

Claimed and allowed, damage to truck, \$33.75.

12. H. H. Trueblood, 413 South Eighteenth Avenue, Yakima, Wash., August 1, 1938, near Odon, Ind., the driver of a Soil Conservation Service truck, entered an intersection without determining that the way was clear and collided with claimant's car, properly proceeding on the intersecting highway.

Claimed and allowed, damage to car, \$24.25.

13. Miss Amanda P. Weed, Weed Street, New Canaan, Conn., September 21, 1938, in New Canaan, Conn., an employee of the Bureau of Entomology and Plant Quarantine, while trimming a tree, allowed a limb to drop on electric

service wires leading to claimant's house, tearing the wires and conduit from the cornice board, and cracking several shingles.

Claimed and allowed, damage to house and electrical fixtures, \$19.08.
Total, \$406.31.

Sincerely,

M. L. WILSON, *Acting Secretary.*

DEPARTMENT OF THE INTERIOR,
Washington, February 4, 1939.

The DIRECTOR, BUREAU OF THE BUDGET.

MY DEAR MR. DIRECTOR: In accordance with the provisions of the act of Congress approved December 28, 1922 (42 Stat. 1066), I have considered, ascertained, adjusted, and determined the following-described claim accruing after April 6, 1917, on account of damage to privately owned property, due to the negligence of an employee of the National Park Service, Department of the Interior, acting within the scope of his employment, and presented to the Department within 1 year from the date of accrual of said claim.

This claim has been examined by the Solicitor of the Department, who advises me that it is a legal claim for submission under the said act.

I certify the amount due the claimant, as herein set forth, as a legal claim, and recommend that it may be submitted to Congress for payment out of appropriations that may be made therefor.

1. Alex H. Sweeney, 329 South Lincoln Avenue, Park Ridge, Ill. On February 28, 1937, a negligently operated Government-owned truck collided with the claimant's automobile. This claim, in the amount of \$253.50, was previously allowed in the amount of \$95.50, and funds for payment thereof were made available by the First Deficiency Appropriation Act for the fiscal year 1938, approved March 5, 1938. The claimant, however, refused to accept the amount of \$95.50 in full settlement and submitted additional proof of loss. Based upon this further proof of loss, it has been determined that the claimant is entitled to additional compensation in the amount of \$19. The claimant has agreed, in writing, to accept this amount, together with the previous allowance of \$95.50, in full settlement of his property damage claim against the Government.

Amount of additional claim, \$22; additional allowance, \$19.

Respectfully,

HARRY SLATTERY,
Acting Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,
Washington, July 5, 1938.

The honorable the SECRETARY OF THE INTERIOR.

MY DEAR MR. SECRETARY: On November 4, 1937, an opinion of the Solicitor was rendered in the case of Alex H. Sweeney, of Park Ridge, Ill., allowing \$35 for the destruction of his automobile, \$2 for damage to the clothing of his children, and \$58.50 for damage to his wife's clothing as a result of a collision on February 28, 1937, with a National Park Service automobile, operated by Paul B. Schuecking. An appropriation was made for \$95.50, but the claimant declined to accept it as full settlement of the damage and returned the check to the Treasury Department.

In addition to the claim for property damage there were several items for personal injuries, which were rejected, as the Department has no authority to allow claims except for property damage. An item of \$22 for the cost of replacing Mrs. Sweeney's glasses was listed under the claims on account of personal injuries. A bill from Roy D. Riser, M. D., submitted in the record, states that the professional services rendered to Mrs. Sweeney were:

Mar. 30, 1937. Office visit, eye examination-----	\$3
Mar. 30, 1937. Glasses-----	16
May 3, 1937. Office visit, irrigation of the left lachrymal sac-----	3
Total -----	22

The cost of replacing the glasses should be allowed as compensation for damage to property. The eye examination is, of course, necessary as a cost of properly replacing the glasses. The first two charges, therefore, totaling \$19, should be allowed in addition to the \$95.50 already allowed Mr. Sweeney in the decision of the Solicitor of November 4, 1937. But the third charge, for the irrigation of the lachrymal sac, is really a charge for treatment of personal injuries, and the Department is without authority to allow compensation for it.

Accordingly, the opinion of November 4, 1937, should be modified, and Mr. Sweeney's claim for property damage should be allowed and certified to Congress in the further sum of \$19, making the total amount \$114.50.

Respectfully,

FREDERIC L. KIRGIS,
Acting Solicitor.

Approved July 5, 1938.

OSCAR L. CHAPMAN,
Assistant Secretary.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, February 23, 1939.

Hon. D. W. BELL,
Acting Director, Bureau of the Budget.

MY DEAR MR. BELL: In accordance with the provisions of the act of Congress approved on December 28, 1922, Public, No. 375 (31 U. S. C. 215-217), I have considered, ascertained, adjusted, and determined the following-described claims on account of damage to or loss of privately owned property due to the negligence of officers or employees of the Interior Department, Indian Service, acting within the scope of their employment, and presented to the Department within 1 year from the date of accruing.

These claims have been examined by the Solicitor of the Interior Department, who advises me that they are legal claims for submission under said act. I certify the amounts found due the claimants, as herein set forth, as legal claims, and recommend that they be submitted to Congress for payment out of appropriations that may be made therefor.

1. 10651-39. Otto Detert, of St. Ignatius, Mont., has filed a claim in the amount of \$8 against the United States for compensation for damage to his

Dodge sedan as the result of a collision with a Government-owned Ford truck operated by Leo O. Cunningham, an employee of the Flathead irrigation project, St. Ignatius, Mont.

Amount claimed, \$8; amount allowed, \$8.

2. 10657-39. Mr. Max Garbe, of Pablo, Mont., has filed a claim in the amount of \$128.10 against the United States for compensation for damage to his Ford sedan as the result of a collision with an Office of Indian Affairs truck operated by Oakley H. Durham, an employee in that branch of the Government service.

Amount claimed, \$128.10; amount allowed, \$128.10.

3. 10702-39. Mr. W. D. Simmons, Wapato, Wash., has filed an amended claim in the amount of \$225.73 against the United States for compensation for damage to his Dodge truck as the result of a collision with a Chevrolet sedan operated by Dr. Hathaway J. Denman, an employee of the Office of Indian Affairs.

Amount claimed, \$225.73; amount allowed, \$225.73.

4. 10703-39. Mr. Alva L. Fenn, of 124 East Thirteenth Street, Hutchinson, Kans., has filed a claim in the amount of \$19.72 against the United States for compensation for damage to his 1938 Packard sedan as the result of a collision with an Indian Office car, operated by Wesley Bigjoe, student foreman in charge of the transportation department of Haskell Institute, a school operated by the Indian Service at Lawrence, Kans.

Amount claimed, \$19.72; amount allowed, \$19.72.

Summary (four claims)

Total amount claimed, \$381.55; total amount allowed, \$381.55.

Sincerely yours,

E. K. BURLEW,
First Assistant Secretary and Budget Officer.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, February 27, 1939.

Hon. D. W. BELL,
Acting Director, Bureau of the Budget.

MY DEAR MR. BELL: In accordance with the provisions of the act of Congress approved on December 28, 1922, Public, No. 375 (31 U. S. C. 215-217), I have considered, ascertained, adjusted, and determined the following-described claims on account of damage to or loss of privately owned property due to the negligence of officers or employees of the Interior Department, Bureau of Indian Affairs, Indian Emergency Conservation Division, acting within the scope of their employment, and presented to the Department within 1 year from the date of accruing.

These claims, which originated prior to passage of the act of June 28, 1937 (50 Stat. 319), have been examined by the Solicitor of the Interior Department who advises me that they are legal claims for submission under said act. I certify the amounts found due the claimants, as herein set forth, as legal claims, and recommend that they be submitted to Congress for payment out of the appropriation that may be made therefor.

1. S3 (2) E. Hodge, G. C., v. U. S. G. C. Hodge, of Moore Haven, Fla., has filed a claim in the amount of \$24.45 against the United States for compensation for damage to his Chevrolet sedan as the result of a collision with an Indian Emergency Conservation Work truck, operated by Byron L. Yates, Indian Emergency Conservation Work mechanic.

Amount claimed, \$24.45; amount allowed, \$24.45.

2. S3 (2) E. Wallace, R. M., v. U. S. R. M. Wallace, of Billings, Mont., has filed a claim in the amount of \$45 against the United States for compensation for damages to his International truck as the result of a collision with an Indian Emergency Conservation Work automobile, operated by Wilmer L. McComas, Indian Emergency Conservation Work truck driver.

Amount claimed, \$45; amount allowed, \$45.

Summary (two claims)

Total amount claimed, \$69.45; amount allowed, \$69.45.

Sincerely yours,

E. K. BURLEW,
First Assistant Secretary and Budget Officer.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, February 27, 1939.

Hon. D. W. BELL,
Acting Director, Bureau of the Budget.

MY DEAR MR. BELL: In accordance with the provisions of the act of Congress approved December 28, 1922 (42 Stat. 1066), I have considered, ascertained, adjusted, and determined the following described claim accruing after April 6, 1917, on account of damage to privately owned property, due to the negligence of an employee of the National Park Service, Department of the Interior, acting within the scope of his employment, and presented to the Department within 1 year from the date of accrual of said claim.

This claim has been examined by the Solicitor of the Department, who advises me that it is a legal claim for submission under the said act.

I certify the amount due the claimant, as herein set forth, as a legal claim and recommend that it be submitted to Congress for payment out of appropriations that may be made therefor.

Edwin P. Johnson, Beacon, N. Y. On September 7, 1938, a road scraper was being towed by a tractor operated by an employee of the National Park Service. As the claimant approached in his automobile, he was given a signal to stop, which he obeyed. He was then signaled to proceed, and as he did so the scraper cut in toward his car just as he was passing.

Amount claimed, \$6; amount allowed, \$6.

Respectfully,

E. K. BURLEW,
First Assistant Secretary and Budget Officer.

NAVY DEPARTMENT,
Washington, D. C., February 4, 1939.

The DIRECTOR, BUREAU OF THE BUDGET,
Washington, D. C.

SIR: In compliance with the provisions of the act of Congress approved December 28, 1922 (31 U. S. C., secs. 215-217), I have considered, ascertained, and determined the following described claims accruing after April 6, 1917, on account of damages to or losses of privately owned property due to the negligence of officers and employees of the Government acting within the scope of their employ-

ment and presented to the Navy Department within 1 year from date of accrual.

These claims have been examined by the Judge Advocate General of the Navy, who advises me that they are legal claims for submission under said act. I certify the amounts found due the claimants, as herein set forth, as legal claims, and recommend that they be submitted to the Congress for payment out of appropriations that may be made therefor:

1. Arthur Von Behren, 5911 Burgess Avenue, Baltimore, Md. On October 2, 1938, the driver of Navy truck No. 5533, while proceeding in a congested line of traffic on the Annapolis Boulevard, Annapolis, Md., failed to stop his vehicle when the preceding cars came to a complete stop, and therefore collided with claimant's car.

Amount claimed, \$23.75; amount allowed, \$21.50.

2. C. Carter, 708 Third Street, Portsmouth, Va. On December 13, 1938, claimant's car while properly parked at the Marine Barracks, Norfolk Navy Yard, was struck by Marine Corps truck No. 479, the driver of which started backing without taking precautions to see that no cars were behind the truck.

Amount claimed, \$37; amount allowed, \$37.

3. Miss Alice J. Harbour, 406 West Eighty-seventh Street, Los Angeles, Calif. On August 1, 1938, the driver of Navy truck No. 5407, while attempting to park on Indiana Avenue, Vista, Calif., collided with claimant's car that was parked in a proper position on the street.

Amount claimed, \$4.50; amount allowed, \$4.50.

Summary (3 claims)

Total amount claimed	-----	\$65.25
Total amount allowed	-----	63.00

Very respectfully,

WILLIAM D. LEAHY,
Acting Secretary of the Navy.

NAVY DEPARTMENT,
Washington, D. C., February 7, 1939.

The DIRECTOR, BUREAU OF THE BUDGET,
Treasury Department, Washington, D. C.

SIR: In compliance with the provisions of the act of Congress approved December 28, 1922 (42 Stat. 1066; 31 U. S. C., secs. 215-217), I have considered, ascertained, adjusted, and determined the following-described claims accruing after April 6, 1917, on account of damages to or loss of privately owned property due to the negligence of officers or employees of the Government acting within the scope of their employment and presented to the Navy Department within 1 year from the date of accrual.

These claims have been examined by the Judge Advocate General of the Navy, who advises me that they are legal claims for submission under the said act of December 28, 1922. I certify the amounts found due the claimants, as herein set forth, as legal claims, and recommend that they be submitted to the Congress for payment out of appropriations that may be made therefor:

1. Lt. (Jr. Gr.) B. F. McMahon, United States Navy, care of Bureau of Navigation, Navy Department, Washington, D. C., for reimbursement for damage to a sewing machine while in shipment under change of station orders. Claimant's household effects were packed and crated in the supply department, Navy Yard, Pearl Harbor, T. H., and delivered to pier No. 19, Honolulu, T. H.,

on June 20, 1938, for shipment to the Navy Yard, Philadelphia, Pa., via the Matson Navigation Co. (*S. S. Maliko*). Upon arrival of this shipment at the Navy Yard, Philadelphia, Pa., it was discovered that a sewing machine, included in the shipment, had been damaged.

The evidence obtained on investigation shows that the property of claimant was damaged as the result of faulty packing by the packers in the supply department, Navy Yard, Pearl Harbor, T. H.

The amount claimed was \$18.50; the amount allowed is \$18.50.

2. Homer Duclos, molder, first class, United States Navy, care of Bureau of Navigation, Navy Department, Washington, D. C., for reimbursement for damage to certain articles of household effects while in shipment under change of station orders. Claimant's household effects were collected from his residence on August 16, 1938, and prepared for shipment at the naval supply depot, Naval Operating Base, Norfolk, Va. These effects were shipped to the Submarine Base, New London, Conn., on August 23, 1938, via the Eastern Steamship Lines, Inc., under Government bill of lading No. N-250630, dated August 23, 1938. Upon arrival of this shipment at New London, Conn., it was discovered that certain articles of household goods included in the shipment had been damaged.

The evidence obtained on investigation shows that the articles in question were damaged as the result of faulty packing by the packers at the naval supply depot, Naval Operating Base, Norfolk, Va.

The amount claimed was \$157.50; the amount allowed is \$97.50.

3. Lt. George T. Mundorff, Jr., United States Navy, care of Bureau of Navigation, Navy Department, Washington, D. C., for reimbursement for damage to household effects while in shipment under change of station orders. Claimant's household effects were moved from the Westchester Apartments, Washington, D. C., to the Navy Yard, Washington, D. C., where they were packed and crated for shipment to San Diego, Calif., under Government bills of lading Nos. N 207899-39 and N 207900-39, dated July 7, 1938. Upon arrival of this shipment at San Diego, Calif., it was discovered that certain pieces of furniture, included in the shipment, had been damaged.

The evidence obtained on investigation shows that the property of claimant was damaged as the result of faulty packing and failure to exercise proper care in handling the household goods while being prepared for shipment by employees in the supply department, Navy Yard, Washington, D. C.

The amount claimed was \$18.20; the amount allowed is \$18.20.

4. Chief Pharmacist Edwin G. Swann, United States Navy, care of Bureau of Navigation, Navy Department, Washington, D. C., for reimbursement for loss of privately owned property while in shipment under change of station orders. Claimant's household effects were picked up at 226 Longfellow Street NW., Washington, D. C., on June 28, 1938, and hauled by truck to the Supply Department, Navy Yard, Washington, D. C., where it was packed and crated for shipment to San Diego, Calif., under Government bills of lading Nos. N-207899 and N-207900, dated July 7, 1938. Included in the household goods turned over to the shipping division of the supply department, Navy Yard, Washington, D. C., by the owner, to be prepared for shipment, were a Standard Underwood typewriter No. 5, and two small rugs. Upon arrival of this shipment at the final destination, it was discovered that both the typewriter and the rugs were missing.

The evidence obtained on investigation shows that the property of claimant was lost due to the negligence of employees of the Supply Department, Navy Yard, Washington, D. C., in failing to exercise proper care and supervision of the said property while being prepared for shipment.

The amount claimed was \$32; the amount allowed is \$32.

Summary (4 claims)

Total number of claims-----	4
Total amount claimed-----	\$226. 20
Total amount allowed-----	166. 20

Respectfully,

WILLIAM D. LEAHY,
Acting Secretary of the Navy.

NAVY DEPARTMENT,
Washington, D. C., February 24, 1939.

The DIRECTOR, BUREAU OF THE BUDGET,
Washington, D. C.

SIR: In compliance with the provisions of the act of Congress approved December 28, 1922 (31 U. S. C., secs. 215-217), I have considered, ascertained, and determined the following-described claims accruing after April 6, 1917, on account of damages to or losses of privately owned property due to the negligence of officers and employees of the Government acting within the scope of their employment and presented to the Navy Department within 1 year from date of accrual.

These claims have been examined by the Judge Advocate General of the Navy, who advises me that they are legal claims for submission under said act. I certify the amounts found due the claimants, as herein set forth, as legal claims, and recommend that they be submitted to the Congress for payment out of appropriations that may be made therefor:

1. Earl C. Schriver, route 2, Valencia, Pa. On December 15, 1938, the driver of Navy truck No. 7188 carelessly pulled away from the curb of West Diamond Street, Pittsburgh, Pa., into a line of moving traffic without a warning signal, and collided with claimant's car proceeding at an authorized rate of speed.

Amount claimed, \$29; amount allowed, \$29.

2. Mrs. Frances R. Brooks, 1048 Washington Street, Cape May, N. J. On December 24, 1938, Marine Corps station wagon No. 807, while being driven at an excessive speed on Washington Street, Cape May, N. J., during rain and sleet, collided, after skidding, with claimant's picket fence totally destroying about 30 feet thereof.

Amount claimed, \$42.58; amount allowed, \$42.58.

3. George H. Perry, 7819 Linden Avenue, Seattle, Wash. On January 26, 1939, Navy truck No. 7177, while backing away from the curb on Post Street, Seattle, Wash., collided with claimant's car properly parked behind the Navy truck.

Amount claimed, \$8.97; amount allowed, \$8.97.

Summary (3 claims)

Total amount claimed-----	\$80. 55
Total amount allowed-----	80. 55

Very respectfully,

J. O. RICHARDSON,
Acting Secretary of the Navy.

TREASURY DEPARTMENT,
Washington, February 16, 1939.

The ACTING DIRECTOR, BUREAU OF THE BUDGET.

SIR: There is transmitted herewith for your consideration with a view to its submission to Congress an estimate of appropriation in the amount of \$262.01, under the provisions of the act approved December 28, 1922, entitled "An act to provide a method for the settlement of claims arising against the Government of the United States in sums not exceeding \$1,000 in any one case" (U. S. C., title 31, secs. 215-217), as follows:

Claims for damages, act Dec. 28, 1922, Treasury Department----- \$262. 01

This estimate arises out of the following claims accruing since April 6, 1917, and presented within 1 year from the date of their accrual,

on account of damages to privately owned property caused by the negligence of employees of the Treasury Department, acting within the scope of their employment.

PUBLIC HEALTH SERVICE

Claim of Nicholas Grillo----- \$145.00
 Claim of department of fire, city of Elizabeth, N. J.----- 90.40

On February 10, 1938, Chauffeur Edward Saer, while driving a Public Health Service ambulance, in Elizabeth, N. J., was proceeding across the intersection of Highway No. 25 and Flora Street when he collided with the machine of Nicholas Grillo, driven by Charles Corris. The ambulance continued across the street, striking and damaging a fire hydrant, the property of the city of Elizabeth, N. J. The accident was due to negligence on the part of the ambulance driver, acting within the scope of his employment, in failing to drive with due regard for the safety of all persons using the highway. Mr. Nicholas Grillo, Elizabeth, N. J., owner of the damaged machine, has submitted a claim for \$400, but after a careful consideration of the facts in this case the damage as the result of the accident has been fixed at \$345, of which \$200 was paid claimant on an insurance policy, leaving \$145, and the department of fire, city of Elizabeth, N. J., has submitted a claim for \$90.40 covering repairs to the hydrant as a result of the accident, the amounts of the above claims, which are considered just and reasonable.

COAST GUARD

Claim of Harold T. Loughran----- \$26.61

On July 5, 1938, Everett B. Kopp, radioman, first class, United States Coast Guard, while driving Coast Guard truck No. 1567 across the intersection of Dewey Boulevard and Taraval Street, San Francisco, Calif., collided with the coupe driven by claimant. The accident was caused by negligence on the part of the Government employee, in failing to yield the right-of-way, as required by section 550 of the Vehicle Code of California. Harold T. Loughran, San Francisco, Calif., owner of the damaged machine, has submitted certified bills for \$26.61, covering repairs as the result of the accident, the amount of the above claim, which is considered just and reasonable.

The above claims have been submitted to the General Counsel for the Treasury, who has rendered opinions to the effect that they fall within the provisions of the act of December 28, 1922.

In view of the facts above stated, the above claims, totaling \$262.01, are certified for submission to Congress as legal claims against the United States, which have been considered, ascertained, adjusted, and determined by me under and by virtue of the act of December 28, 1922, above-mentioned.

Very truly yours,

STEPHEN B. GIBBONS,
Acting Secretary of the Treasury

WAR DEPARTMENT,
 Washington, February 24, 1939.

HON. DANIEL W. BELL,
Acting Director, Bureau of the Budget, Washington, D. C.

DEAR MR. BELL: In accordance with the act of Congress approved December 28, 1922 (U. S. C., title 31, secs. 215-217), this Department has considered, ascertained, adjusted, and determined each of the following claims accruing after April 6, 1917, on account of damages to or loss of privately owned property caused by the negligence

of officers or employees of the War Department acting within the scope of their employment. Each claim was duly presented to this Department within 1 year from the date of the accrual thereof. The amounts found due the several claimants are hereby certified as legal claims, and it is recommended that they be submitted to Congress as legal claims for payment out of appropriations that may be made therefor. Below is a brief statement of the character of each claim, the amount claimed, and the amount allowed:

1. William C. Calhoun, first lieutenant, Colorado National Guard, 811 Marion Street, Denver, Colo. On June 28, 1938, the operator of a Civilian Conservation Corps truck, without assuring himself that the way was clear, backed his vehicle and collided with claimant's parked car, damaging it to the extent of \$21.52.

Amount claimed, \$26.52; amount allowed, \$21.52.

2. James and Robert Lilburn, R. F. D. 1, Janesville, Wis. On January 17, 1937, the operator of a Civilian Conservation Corps ambulance, while rounding a right curve on a slippery road at an excessive rate of speed, skidded over the center of the highway and struck claimants' oncoming truck, damaging it to the extent of \$213.69.

Amount claimed, \$291.79; amount allowed, \$213.69.

3. J. L. Patchen, Stong, N. Mex. On September 18, 1933, the operator of a Civilian Conservation Corps truck, when rounding a sharp left curve on a slippery road, failed to exercise due precaution and collided with claimant's oncoming truck, damaging it to the extent of \$62.52.

Amount claimed, \$72.51; amount allowed, \$62.52.

4. Mrs. Fannie E. Ross, South Range, Wis. On February 20, 1937, claimant sent a registered letter containing \$5 in currency to Fielding and Preston Ross, enrollees at Civilian Conservation Corps camp, Blytheville, Ark. The camp personnel authorized to receive mail for the enrollees failed to take proper precaution to safeguard said letter until delivery to addressee, and the letter became lost, resulting in a loss to claimant in the amount of \$5.

Amount claimed, \$5; amount allowed, \$5.

Summary (4 claims)

Amount claimed	-----	\$395. 82
Amount allowed	-----	302. 73

Sincerely yours,

HARRY H. WOODRING,
Secretary of War.

WAR DEPARTMENT,
Washington, February 24, 1939.

HON. DANIEL W. BELL,
Acting Director, Bureau of the Budget,
Washington, D. C.

DEAR MR. BELL: In accordance with the act of Congress approved December 28, 1922 (U. S. C., title 31, secs. 215-217), this Department has considered, ascertained, adjusted, and determined each of the following claims accruing after April 6, 1917, on account of damages to or loss of privately owned property caused by the negligence of officers or employees of the War Department acting within the scope of their employment. Each claim was duly presented to this Department within 1 year from the date of the accrual thereof. The amounts found due the several claimants are hereby certified as legal claims, and it is recommended that they be submitted to Congress as legal claims for payment out of appropriations that may be made

therefor. Below is a brief statement of the character of each claim, the amount claimed, and the amount allowed:

1. Ernest Block, 37 Lefferts Avenue, Brooklyn, N. Y. On August 24, 1938, the operator of an Army truck was following claimant's car too closely on a road under construction, and when claimant found it necessary to stop his car suddenly the Army truck collided with it, the resulting damage to the car amounting to \$12.

Amount claimed, \$12; amount allowed, \$12.

2. Alfred J. Brooks, 549 Riverside Drive, New York, N. Y. On October 12, 1938, the operator of an Army vehicle, without assuring himself that the way was clear, attempted to back his vehicle across the street into a parking space and struck claimant's oncoming car, damaging it to the extent of \$4.

Amount claimed, \$4; amount allowed, \$4.

3. P. S. Carrol, 3313 Alton Park Boulevard, Chattanooga, Tenn. On December 30, 1937, the operator of an Army truck, while rounding a sharp right curve at too great a rate of speed for proper control of his vehicle, proceeded over the center of the highway and struck claimant's approaching car, damaging it to the extent of \$37.

Amount claimed, \$123.30; amount allowed, \$37.

4. Eklund's Grocery & Market, Luling, Tex. On November 9, 1937, the operator of an Army truck entered an intersection against a red traffic light, and failing to yield to claimant's truck the right-of-way to which it was entitled, struck said truck, damaging it to the extent of \$50.

Amount claimed, \$50; amount allowed, \$50.

5. William C. Gess, 1707 Dundalk Avenue, Baltimore, Md. On October 4, 1938, the operator of an Army truck when entering an intersection, failed to yield to claimant's car the right-of-way to which it was entitled and, colliding with said car, damaged it to the extent of \$50.

Amount claimed, \$91.90; amount allowed, \$50.

6. B. Carroll Hively, R. F. D. No. 7, Westminster, Md. On June 16, 1938, the operator of an Army truck, while rounding a sharp left curve at too great a rate of speed for proper control of his vehicle, proceeded over the center of the highway and collided with claimant's passing truck, damaging it to the extent of \$420.06.

Amount claimed, \$420.06; amount allowed, \$420.06.

7. George H. Johnston, 19 Magnolia Avenue, Larchmont, N. Y. On November 23, 1937, claimant's truck, when crossing a bridge in heavy traffic, was following an Army truck, and in turn was followed by another Army truck. Traffic stopped suddenly and claimant's vehicle was wedged between the two trucks, resulting in damage to claimant's truck in the amount of \$75.

Amount claimed, \$243.50; amount allowed, \$75.

8. Mrs. Erma H. Matthews, 239 East Lullwood Avenue, San Antonio, Tex. On June 14, 1938, the driver of an Army reconnaissance car, while following claimant's car too closely, collided with said car when it was stopped by a road construction flagman. Claimant's car was damaged to the extent of \$30.60.

Amount claimed, \$30.60; amount allowed, \$30.60.

9. Carroll A. Maul, 7923 Orchid Street NW., Washington, D. C. On September 27, 1938, the operator of an Army truck was following claimant's car too closely in traffic on a slippery street, and when traffic stopped suddenly at a red traffic light the Army truck crashed into claimant's car, damaging it to the extent of \$77.

Amount claimed, \$77; amount allowed, \$77.

10. Leslie E. McBride, 1009 Avenue L, Galveston, Tex. On August 23, 1938, the operator of an Army truck overtook and attempted to pass claimant's car near a bridge without allowing sufficient clearance and sideswiped said car damaging it to the extent of \$8.

Amount claimed, \$8; amount allowed, \$8.

11. Mrs. J. H. Pender, 87 High Street, Keene, N. H. On June 19, 1938, the operator of an Army truck failed to exercise due precaution when swinging to the left to avoid striking a vehicle entering the thoroughfare from the right and collided with claimant's oncoming car, damaging it to the extent of \$140.88.

Amount claimed, \$140.88; amount allowed, \$140.88.

12. Ray D. Smith, 2820 Bush Street, San Francisco, Calif. On October 3, 1938, the operator of an Army truck, without assuring himself that the way was clear, backed his vehicle and collided with claimant's properly parked car, damaging it to the extent of \$48.79.

Amount claimed, \$48.79; amount allowed, \$48.79.

13. William P. Toy, Wyandanch, N. Y. On April 15, 1938, the assistant engineer of the Long Island National Cemetery authorized the starting of a fire in said cemetery for the purpose of burning brush, but failed to take the necessary precautions to insure that the fire would not spread to adjacent property. The fire spread to claimant's property, causing damage in the amount of \$20.

Amount claimed, \$25; amount allowed, \$20.

14. Mrs. Bessie Tuten, Ridgeland, S. C. On July 29, 1938, the operator of an Army truck, when entering an intersection, failed to yield to claimant's car the right-of-way to which it was entitled, and, striking said car, damaged it to the extent of \$50.

Amount claimed, \$63.35; amount allowed, \$50.

15. United Mutual Fire Insurance Co., 175 Berkely Street, Boston, Mass. On April 19, 1938, the operator of a heavily loaded Army truck failed to exercise due precaution when descending an incline, and crashed into the car of Frank Croman, insured by claimant, which car was stopped by a red traffic light. The resulting damage to said car caused a loss to claimant in the amount of \$95.85.

Amount claimed, \$95.85; amount allowed, \$95.85.

16. Van Sciver & Feist, 420 Walnut Street, Philadelphia, Pa. On August 12, 1938, the operator of an Army station wagon, driving inattentively while following claimant's car, failed to observe that said car had come to a stop. The Army vehicle struck said car damaging it to the extent of \$13.50.

Amount claimed, \$13.50; amount allowed, \$13.50.

17. S. D. Vinieratos, 38 Manteo Avenue, Hampton, Va. On September 20, 1938, the operator of an Army truck, while driving on a slippery street without taking due precaution, lost control of his vehicle and skidded into claimant's passing car, damaging it to the extent of \$186.74.

Amount claimed, \$363.40; amount allowed, \$186.74.

18. O. H. Westin, room 1000, 104 South Michigan Avenue, Chicago, Ill. On August 27, 1938, the operator of an Army truck overtook and passed claimant's car on the left, then turned sharply to the right without allowing sufficient clearance, and struck said car, damaging it to the extent of \$5.50.

Amount claimed, \$5.50; amount allowed, \$5.50.

Summary (18 claims)

Amount claimed-----	\$1, 816. 63
Amount allowed-----	1, 324. 92

Sincerely yours,

HARRY H. WOODRING,
Secretary of War.

POST OFFICE DEPARTMENT,
Washington, D. C., January 31, 1939.

The DIRECTOR OF THE BUREAU OF THE BUDGET,
Washington, D. C.

SIR: In accordance with the provisions of the act of Congress approved December 28, 1922, Public, No. 375 (31 U. S. C. 215-217), I have considered, ascertained, adjusted, and determined the following-described claims accruing after April 6, 1917, on account of damage to privately owned property due to the negligence of officers or employees of the Post Office Department acting within the scope of their employment, and presented to the Department within 1 year from the date of accruing.

These claims have been examined by the Solicitor of the Post Office Department, who advises me that they are legal claims for submission under said act, payable from postal revenues.

I certify the amount found due the claimants, as herein set forth, as legal claims, and recommend that they be submitted to Congress for payment out of appropriations that may be made therefor:

1. Auto Owners Insurance Co., subrogee of John E. and Minnie McGirr, Lansing, Mich. On October 11, 1938, a mail truck, operated with brakes known to be

in a defective condition, collided with a car insured by the claimant at an intersection of streets, as a result of which the claimant was damaged to the extent of \$94.94.

Amount claimed, \$99.44; amount allowed, \$94.94.

2. The Motor Vehicle Casualty Co., subrogee of Raymond L. Keller, 223 West Jackson Boulevard, Chicago, Ill. On December 8, 1937, the operator of a vehicle used in the Postal Service, in backing out of a private driveway, negligently collided with a passing automobile belonging to Raymond L. Keller and insured by the claimant company, damaging the latter to the extent of \$71.25.

Amount claimed, \$71.25; amount allowed, \$71.25.

3. The Ohio Farmers Insurance Co., subrogee of J. A. Swall, 312 Pershing Square Building, Los Angeles, Calif. On June 11, 1938, the operator of a Government-owned mail truck negligently lost control of the truck which ran up over the curb and collided with a store building belonging to J. A. Swall and insured by the claimant company, damaging the latter to the extent of \$75.40.

Amount claimed, \$91.40; amount allowed, \$75.40.

Summary (3 claims)

Amount claimed-----	\$262.09
Amount allowed-----	241.59

Very truly yours,

JAMES A. FARLEY,
Postmaster General.

POST OFFICE DEPARTMENT,
Washington, D. C., February 24, 1939.

The DIRECTOR OF THE BUREAU OF THE BUDGET,
Washington, D. C.

SIR: In accordance with the provisions of the act of Congress approved December 28, 1922, Public, No. 375 (31 U. S. C., 215-217), I have considered, ascertained, adjusted, and determined the following-described claim accruing after April 6, 1917, on account of damage to privately owned property due to the negligence of an employee of the Post Office Department, acting within the scope of his employment, and presented to the Department within 1 year from the date of accruing.

This claim has been examined by the Solicitor of the Post Office Department, who advises me that it is a legal claim for submission under said act, payable from postal revenues.

I certify the amount found due the claimant, as herein set forth, is a legal claim and recommend that it be submitted to Congress for payment out of appropriations that may be made therefor.

1. State Farm Mutual Automobile Insurance Co., subrogee of Thomas Hawkins, Bloomington, Ill. On November 9, 1938, the operator of a Government-owned mail truck, in leaving a parking place, negligently backed into an automobile belonging to Thomas Hawkins and insured by the claimant company, damaging the latter to the extent of \$30.73.

Amount claimed, \$30.73; amount allowed, \$30.73.

Very truly yours,

W. W. HOWES,
Acting Postmaster General.